



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE, TENNESSEE 37243-0435

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COMMISSIONER

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January 5, 2018

Via Electronic Mail to mshigdon@tva.gov

Attn: Matthew Higdon, NEPA Project Manager
Tennessee Valley Authority
400 West Summit Hill Drive, WT 11D
Knoxville, TN 37902

Dear Mr. Higdon:

The Tennessee Department of Environment and Conservation (TDEC) appreciates the opportunity to provide comments on the Tennessee Valley Authority (TVA) Draft Environmental Assessment (EA) for the *Ocoee River Whitewater Rafting Agreement*. TVA is considering a new management agreement with the U.S. Department of Agriculture Forest Service (USFS), and the State of Tennessee (State) to establish partner responsibilities for recreational management along the Ocoee River in Polk County, Tennessee. The proposed agreement addresses water releases from Ocoee Dams 2 and 3 for a term of 15 years and a land action to improve recreation management.

Actions considered in detail within the Draft EA include:

- **Alternative A – No Action** – Under the No Action Alternative, the agreements and easements enabling commercial rafting on the Middle and Upper Ocoee River would expire at the end of 2018 and would not be replaced with new agreements. Thereafter, whitewater boating (rafting and kayaking) on the Middle and Upper Ocoee would only be possible during periods of naturally occurring high river flow and/or when TVA is not generating power at the Ocoee No. 2 and Ocoee No. 3 powerhouses.
- **Alternative B – Proposed Action** – As part of the proposed agreements, TVA would provide scheduled water releases for a term of 15 years on the Middle and Upper sections of the Ocoee River, below the Ocoee No. 2 and No 3 Dams. The water releases would be provided on a schedule similar to that defined by the water release agreements currently in place.¹

¹ Middle Ocoee River – TVA would provide water releases from Ocoee No. 2 Dam based on the same framework for determining annual water release schedules that has been in place since 1984, with one minor difference: TVA would eliminate releases currently occurring on five weekdays in late September. Thus, over the 15-year period, TVA would provide between 106 and 112 release days annually. The number of release days would vary by year based on how weekend and holidays occur. The hours of releases per day would vary between 6 and 10 hours daily, consistent with current operations. The average rate of flow during these releases would be at least 1,200 cubic feet per second (cfs), which is also consistent with current operations. Upper Ocoee River – There would be no change from the current schedule of release to the Upper Ocoee River. TVA would continue to provide water releases from Ocoee No. 3 Dam for recreational use on 34

- **Alternative C – Current Management Regime** – Alternative C is similar to Alternative B, except under this alternative, TVA would continue releasing water to the Middle Ocoee River for the five weekdays in late September that are not scheduled under Alternative B. Thus, over the 15-year agreement (assumed to be renewed for an additional 15-year period), TVA would provide a total of up to 116 release days per year. This is the current management practice and the water release schedules would be consistent with the framework described in Section 2.1 above. Under this alternative, however, TVA would not receive compensation for the additional five release days in September. Water releases on the Upper Ocoee River would continue to be provided as described under Alternative B.

TDEC has reviewed the Draft EA and determined that it has no additional comments regarding the proposed action or alternatives at this time. TDEC appreciates the opportunity to comment on this Draft EA. Please note that these comments are not indicative of approval or disapproval of the proposed action or its alternatives, nor should they be interpreted as an indication regarding future permitting decisions by TDEC. Please contact me should you have any questions regarding these comments.

Sincerely,



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cc: Bill Avant, TDEC, TSP
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